

App F IX-4

1928.

File No. 10-28

Previous References

Muz 188 27-1-4 (Muzari')

Serial Nos. 1-7

Later References

Dec 14/28 1-4

General and Revenue Secretariat.

Serial Nos. 7.

Part B for August 1928

SUBJECT

Review application from Berak of Melakanka
the same lands were sold to the Jangam Muth
at Melakanka in the same Taluq

DE 215 dated
3-8-28

To the Secy. Comd

Passes orders in the matter

1928.

GENERAL AND REVENUE SECRETARIAT.

(Muzrai)

NOTES.

File No. 10
1928

FILE HEADING.

Review application re the uiam lands enclosed
the zangam matt at yelahanka in the
Bangalore Taluk.

ROM

Review of yelahanka, Bangalore Taluk

No. Petition

Dated 30.6.28

Received 7.7.28

Diary No

45

Enclos.

Spare copies

Serial No

1

BRIEF ABSTRACT OF LETTER

That on a re-consideration of orders of resumption
the said lands issued in Pro. no. 1604-7/Muzrai
188-27-4 of 23.3.28, the lands may be restored
to his possession, as they are personal and
not Denadaya (according to the Gram Settlement of
May 1875)

NOTES AND ORDERS.

The Review petition was presented to
the member - members order -
"Records may be called for no stay
order can be issued case may be
posted to 28th inst"

Submit with draft to the member - members order & the application to be
Sheet.

M
10/7/28.
20/7/28

Don
M
10/7

B

Serial
No.

3 The offo approved were issued.

A copy of the Detailed Inam Register is in the file. It is necessary to have a copy of the statement filed at the time of the Inam Settlement. Df. Calling for it from the Inam Supdt is subm for appl or orders

3/11/28

11.7.28.
11/7/28

1-17

4 To Supdt, Rev Survey Settlements
11069 & 12.7.28

calls for copy of the
stallt filed by the parties at
the time of Inam Settlement

5 From, the Supdt, Rev. Survey.
Letter no. 6 of 21.7.28.

Submits a copy of the state
filed by Vadev Anniah of
Yelahanka on 16th June 1874, re-
lated to the Inam Settlement of
May 1875.

Vadev Anniah states as follows
in his statement.

" 22.2.28, 2.8.28, 3.8.28 "

General and Revenue
Secretariat.

File No. 10

of 1928-7

Serial
No.

7

A reme was issued to the M.C. on 21
The records connected with the case, have
not been received.

Submit

24.7.28.

Whatever may be the one
character of these lands,
were settled as Donadry
at the time of the Guam Settlement
of 1875 for the support of the
Jungams made in the village. The
existence of the matt has been
admitted by the ancestor of the
petr. It is a point for consideration
whether the petr. can at this
distance of time, be permitted to
go behind the Settlement made
so far back as 1875.

24.7.28

The work is pushed for forwarding on the
28th instant if the records are not
received by tomorrow, the District
Commissioner will be reminded by phone

W
M
M
M

YB

24.7.28

6. From, the Muz Comr, Letter no
796 D/257 of 28.

Submits the Vern records
connected with the case.

11 Submit

25.7.28

WD 01714-GPB-30,000-18-4 28

25.7.28

It records are not
received in the course
of the day, a telephone
message will be sent
to the M.C. office at
10.15.28.

B

M

24

General and Revenue
Secretariat.

File No. 10 of 192 8/

Serial
No.

12 ✓ From the Shikhar report dated 27. 4. 27
(Flag R,) & the petitioner's statement on 28.3.27
(Flag Z,), it is clear that the same, owing to
the death now no longer in existence & that
the patha has not stand with name &
the petitioner as stated with review petition.

ML
28/7/28

(Sr Member)

28
26/7

This Case

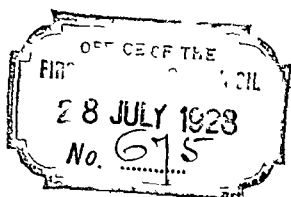
13 This case is heard on the 30 July 1928

14 The petition is to be heard on the 30 July 1928
by all members of the Council.

O. P.

15 The petitioner's contention is that he is
the proprietor of the land in consideration
in his own right. This is not correct as he is
not in view of the fact that the land is
classified as a public land and is not
to be used for private purposes. It is
therefore no reason to interfere with the
land in question.

16 The land in question is a public land and
is not to be used for private purposes. It is
therefore no reason to interfere with the
land in question. If the petitioner is
prepared to pay half the value of the land



Serial
No.

realised when it was auctioned and also interest
at 9 per cent. per annum ^{on the cash paid} ~~to~~ the auction purchaser.
it may be given to him treating it as an ordinary
kudayam land. If, however, he is not prepared
to make this payment, the land will be disposed
of as already ordered.

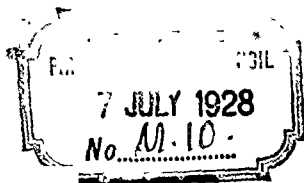
17

Dft. order Submt.

AN
1.8.28.

18 Jan
7/17
1.1.28

7 memo no 275 of 3.8.28. to M.C.
forwards copy of order directing
that the land in question be given
to the pet. on specified conditions
& that if he is not prepared to
accept the conditions the land
be disposed of as already ordered



900 TWO UPEES 20-1

Mem 10-28-1
SECRET
9
Muzrai
DLS

Records may
be called for.
No story
given can be
given
case may be
prolat
in int.

Before The Government Of His Highness The

Maharaja Of Mysore, Bangalore.

(Muzrai Department).

Muzrai Review Petn. No. of 28-29.

Eeriah, son of Annaiyappa,
residing at Yelahanka, -
Bangalore Taluq.

Petitioner.

The petitioner abovenamed begs to state
as follows:-

1. Lands bearing S.Nos.104 and 105
situate at Yelahanka are Personal Inams -
granted to the petitioner's ancestors prior
to 1841 and since then the said lands have
been in possession and enjoyment of the peti-
tioner's family.

2. The patta of the said lands was -
originally in the name of Wadeyar Eeriah, -
paternal grand-father of the petitioner. -
After his death it was made in the name of
the said Eeriah's widow, Rachamma. After
her death the patta was made in the name of
Lingiah, petitioner's paternal uncle. The

patta

2.

patta stands in his name even to-day. The petitioner has been in possession and enjoyment of the said lands and has also been - paying kadayam therefor.

3. The petitioner learnt recently that on the recommendation of the Muzrai Commissioner in Mysore that the said lands had been endowed to the Jangam Mutt at Yelahanka, that they were enjoyed without performance of any service in return, that the object of the - Inam grant had thus failed and that the lands should be resumed and sold in auction ~~on~~ full assessment the Government were pleased to sanction the same. The petitioner has herewith - produced a certified copy of the order of - Government dated 23rd March 1928.

4. In accordance with the said order of Government the Sheikdar sold away the said lands on or about the 15th May 1928 and - Roddappa and Chendrappa have purchased them. Hence this review petition.

5. The petitioner respectfully submits that the order of resumption passed by Government on the Muzrai Commissioner is illegal and unjust for the following reasons:-

(a) the order in question has been passed without hearing the petitioner;

(b) the recommendation of the Muzrai Commissioner that the lands had been endowed

3.

endowed to the Jangam Mutt is quite
opposed to the facts of the case and
is clearly unsustainable;

(c) the extract from the register
of Inams herewith produced clearly shows
that the lands in question were personal
grants to the petitioner's ancestor, and
that even so long back as 1841 Wadeyar -
Eeriah, the petitioner's grand-father -
was recognised as the Inamdar;

(d) in the extract submitted by -
the village officials on 16-6-1874 it is
clearly stated that the said lands were
personal grants to the petitioner's -
family;

(e) even in the Inam Settlement
Register it is shewn under ^{Column}~~columns~~ 14, -
"Name entered in the accounts subsequent
to 1810" that according to "St~~ate~~^{ate} Inamti
Account 1841" Vadera Veerayya was the -
Inamdar. It is also clear from the said
account that the lands are not endowed to
any Matha;

(f) the patta books of the year -
1836, 1878, 1882, 1894 also show that the
lands belong to the petitioner's family;

(g) it is clear from the above that
the lands in question were not endowed to
any

4.

any mutt and that on the other hand, they were merely personal grants to the petitioner's ancestors;

(h) the words " *മുട്ട* " occurring in some records have been misconstrued as " *നോട്ട* " and the recommendation of the Muzrai Commissioner has been based on a misapprehension of facts. The records nowhere show that the lands in question were ever intended to serve the religious needs of the Lingayets in and outside the village.

6. The petitioner respectfully submits that the aforesaid facts clearly prove that the order of resumption passed by the Government is erroneous, unjust and improper.

7. The petitioner has suffered considerably by the deprivation of lands which are the only means of his livelihood.

8. Wherefore, the petitioner most respectfully prays that the Government may graciously be pleased to call for the records and set aside the ^{sale} ~~order~~ and confirm the lands to him.

9. In view of the fact that the lands have been sold away and that the purchaser is likely to be put in possession of them shortly the petitioner prays that the Government may be pleased to direct that the possession of the petitioner be not disturbed until disposal of this

5.

this review petition. *see copy of 25*

Bangalore,

30th June 28.

Petitioner.

S. S. Chawla

Advocate for petitioner.

Revised
of Mysore - not Obsolete

1929 - 1930 Revised petition

ಫಾದಿ ಯಾ ಅರ್ಜಿದಾರ್

ಪ್ರತಿವಾದಿ ಯಾ ಅಪೋನೆಂಟ್

Remarks

VS.

ಮು|| ರಾ|| ಡಿ. ಶಾಮರಾವ್, ಬಿ.ಎ., ಎಲ್.ಎಲ್.ಬಿ., ಅಡ್ವೋಕೇಟ್‌ಯವರಿಗೆ

I, the petitioner abovesigned

ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಪ್ತವಿವಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರುಗಿಸುವುದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರ್‌ನೂ, ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮ ನಡೆಸಿ ಹಣ ವಸೂಲುಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಿಸಿಕೊಡುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು ಸಹ ಪಡೆಯಲಿಕ್ಕೂ, ದಸ್ತವಜು ವಗೈರೆಗಳನ್ನು ಪಾವತು ಪಡೆಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಲಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ತಾವ ಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡೆಸದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

ತಾರೀಖು

ರುಜು ಅರಂಭವು

ಈ ಮೊಖ್ತಾಯಿನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥರಾಗಿ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಈ ಮೊಖ್ತಾಯಿನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನೆ.

DR

Shamaraiah
Advocate
30/6/29

Proceedings of the Government of
His Highness the Maharaja of Mysore

Read.

Letter No. C. 796/27-28 dated 10th
January 1928, from the Mysore Com-
missioner in Mysore, reporting that
though the Ganga Mutt at Gelahank
in the Bangalore Taluk was intended
to serve the religious needs of the
lingayets in and outside the village,
it exists only nominally that the build-
ing is used as a dwelling house by the
late Maharaja's son letting out a portion
thereof for rent, that the Deane lands
are enjoyed without performance of

BH
26/5/28

any service in return, and that the
object of the Inam grant has thus
failed, and recommending sanction
for the resumption of Inam Survey
numbers 104 and 105 endowed thereto
and for their sale in auction on
full assessment.

- - - - -

Order no. 1604-7/muz 188-27-4

Dated, Bangalore, 23rd March 1928.

- - -

Under the circumstances reported, the
Muzrai Commissioner's recommendation is
sanctioned

Sd. B. Srinivasan Iyengar
Secretary to Government
Financial Department.

To

The Muzrai Commissioner in Mysore.

28/5/28

The Revenue Commissioner in Mysore
The Comptroller to the Government
of Mysore.

The Superintendent, Revenue Survey
and Settlements in Mysore.

"copy"

H. A. A. A. A.
Superintendent, Mysore Branch.
Genl. Rev. Secy.

Copy applied for by Veeriah on 26.5.26

Copy applied on 26.5.28

" ready on 26.5.28.

" delivered on 26.5.28.

No. of words. 320.

Copying fees etc. 0-12-0.

Copied by E.

Compared by AS

Diary No. of letter replied to.....

Section *Muz*

File No. *10-28-*

Serial No. *2.*

No. *53* *unavailable*

General and Revenue Secretariat

()

the

192

To

Date of issue.....

10/7/28

Signed by.....

List of enclosures.....

Copied by

Examined by

With ref to his Renew-
application of 30th June 1928
presented on behalf of
briah of Jelakanka in the
Bangalore Taluk & the
main cause referred to
the Jangam met at the
place, Mr. D. Shama Rao,
Adv is informed that
no stay order can be
issued as prayed for
by him & that the
case will be heard

over

on the 28 inst before
the and that he may
appear before this office
that day at 12 noon

B. O

^{ms}
1077
Do J. M. C. Leary
ms
1077

SUBJECT.....

2 Dfs
Immediate
J. S. S. S.

Section Muz

File No. 10-28

Serial No. 3

No. S L

Diary No. of letter replied to.....

General and Revenue Secretariat

the

192

The Muz Comr

Date of issue.....

10/7/28

Signed by.....

M. L. S. S. S.

Sir,

I am directed to request
before the 20th instant,
the re-transmission of the
entire record & returned with
G.O. no 1604-7/ Muz. 188-274
of 23-3-1928 in the matter
of the resumption of the
main land & enclosed to the
Jangam mat & yela-
hanka in the Bangalore
Taluk & they are
required for reference
in connection with the
over

List of enclosures.....

Copied by

Examined by

10. D. 45,

Review-application of Social
(forwarded for reference and re-subm. etc.)
of Gelahampa, which is - The Can
posted for hearing before
me on the 28th instant.
Whereby I am to add
that the peto has been
separately informed that
no stay order can be
issued as prayed for
by him.

I have etc.

^{10/7}
M. J. for Int. Secy.

M.
L. J. M.

SUBJECT.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

()
the 192

Date of issue..... 12. 7. 28

signed by..... M. L. K. Somaswami

List of enclosures.....

Copied by

Examined by

Handwritten signature

Section *Muz*
File No. *10-28*
Serial No. *4.*

No. *69*

To *The Supdt. Rev. Sur*

Sir,

Adverting to your let
no. 186 of 21st Feb'y 1928
Submitting a copy of the
Guam Register pertaining
to the grant of lands
in Yelahanra village,
Bangalore Taluk, to the
Jangam mato at the
place, I am directed
to request you to be ^{reporter} furnished
with a copy of the
Statement filed

over

which led to
the parties at the time
of the ^{final} settlement of

The said Denadaya name as Denadaya-

on 12th May 1875—

I have etc.

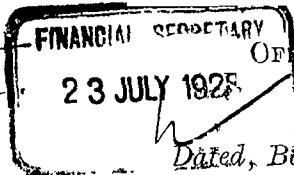
^{MS}
12/7
W. J. Mil. Secy.

As the ~~connected~~ ^{connected} case
concerning ~~the~~ ^{the} matter
is posted for hearing
on the 28th instant, &
favor of a very early
compliance is requi

^{MS}
12/7/75

No. 6

Enc one



Dated, Bangalore...20th...July.....1928.

21

FROM

[Handwritten signature]

D. SRINIVASA RAO, Esq., B.A.,

23

Superintendent, Revenue Survey and

Settlements in Mysore

TO

The Financial Secretary,

[Handwritten signature] 10-22-28

to the Government of H. H. the Maharaja

SIR,

of Mysore, Bangalore.

As desired in your letter No.69/Muz.1C-28-9 dated the 12th instant, I have the honor to forward herewith a copy the statement filed by the Inamdars at the time of the Inar Settlement of the lands endowed to the Jangam Mutt at Yela- hanka, Bangalore Taluk.

I have the honor to be,

Sir,

Your most obedient servant,

[Handwritten signature]
Superintendent
Mysore Revenue Survey.

KR.

[Handwritten signature]

Office of the Deputy Commissioner,

Bangalore District,

Dated Bangalore, 24th July 1928.

G. B. Heblikar, Esq., B.A., LL.B.,

Deputy Commissioner,

Bangalore District.

SECRETARY
25 JUL 1928
MUZRAI
D/444

To

P. G. D'Souza, Esq., B.A., B.L.,

Muzrai Commissioner in Mysore,

B a n g a l o r e.

Subject:- Resumption of Inam lands of the Jangam Matt at Yelahanka
Bangalore Taluk.

Sir,

With reference to your letter No.C.796/27-28 dated 14th instant
I have the honor to submit herewith the entire vernacular file on
the subject received with the Bangalore Taluk Amildar's report No.
D.74/26-27 dated 18th instant.

The Review application of Eriah received with your letter -
under reference is resubmitted together with its enclosures.

I have the honor to be,
Sir,
Your most obedient servant,

(Sd.) R. Thammaji Rao,

For Deputy Commissioner.
Bangalore District.

Immediate
No. 796 *Encl 2 files*
27-8

Copy of the above is forwarded with compliments to the --
Financial Secretary to Government of His Highness the Maharaja of
Mysore as desired in his letter No.53/Muz.10-28-2 dated 10th July
1928.

Muzrai
5/7

H. Chennay
Assistant Commissioner
For Muzrai Commissioner.
(absent from station)

Before the Government of His Highness the
Maharaja of Mysore.

Muz. Case
Appeal No. 20 of 1928

Peta
Appellant.

vs.

Respondent

Griah son of Annaiyappa.
Residing at Yelahanka, Bangalore
Taluk.

Subject.

Review application for
a re-consideration of G.O. no
1604-7/Muz. 188-27-4 D/23328
Sanctioning the resumption of
the unimproved lands in
the Jangam taluk at
Yelahanka in the Bangalore
Taluk, in ^{for} their sale
in auction on full
assessment.

AG
RE

Decision

The case was heard
on 16th 28th Feb, 1928
The full bench

msl Mr. D. Shama Rao.

The pet's contention is

--- as already
msl. (Para 8 15 & 16).

Memo

275

3 8-2

13-10-22-7

with supplement

Copy 1 to The M.C.

one file

with The records receives

with his memo. no 796/27-28-
2/24-7 28.

R.O.

W 1/9

Regional Secy.

Copy to Mr D Shama Rao.

Amendments in the pet.

"

Int Secy.

msl
msl

Before the Government of His Highness the
Maharaja of Mysore.

Mys. Case No. 29 of 21920.

Petitioner:--

Brish son of Annaiyappa residing at Velahanka,
Bengaluru Taluk.

Subject.

Review application for reconsideration of Government
Order No. 2604-7/Mys. 200-27-4, dated 23rd March 1920, sanc-
tioning the resumption of the land lands owned by the Jangam
Mutt at Velahanka in the Bengaluru Taluk and for their sale
in auction on full assessment.

Decision.

The case was heard on the 28th July 1920.

The petitioner was present and was represented by his
counsel Mr. D. Shama Rao.

The petitioner's contention is that he is the proprie-
tor of the land under consideration in his own right. This is --
altogether inadmissible in view of the land settlement which --
clearly classifies the land as a Devadaya land endowed to the --
Jangam Mutt at Velahanka. There is therefore no reason to inter-
fere with the orders already passed.

The land has, however, been in the enjoyment of the fami-
ly of the petitioner for nearly ninety years. Some considera-
tion might be shown on this account. If the petitioner is required
to pay half the value which the land realised when it was auctioned
and also interest at 9 per cent per annum on the amount paid by the
auction purchaser it may be given to him treating it as an order for
Kandayam land. If, however, he is not prepared to do this pay-

The Lord's will be done as already ordered.

Memo No. 275 *Hand one file* Bangalore, dated 22nd August 1928

May 10-28-7

Copy of the above is forwarded with compliments to the
Muzrai Commissioner in Mysore with the records received with his
memo No. 796/27-28 dated 24th July 1928.

By Order,

Fair draft

De Jansen

For Secretary to Government,
Financial Department.